

Department of Veterans Affairs
Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:
Internal Complaint Activity
National Cemetery Administration

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	FY 2005					
		2004	2003	2002	2001	2000
Number of Complaints Filed in FY 1614.704(a)	23	28	2232	2258	2147	2467
Number of Complainants 1614.704(b)	22	25	2003	2042	1718	2220
Repeat Filers 1614.704(c)	1	3	229	216	229	247

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY 2005	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Race	6	4	1013	806	1196	1304
Color	0	3	47	70	-	-
Religion	1	0	31	36	88	144
National Origin	1	4	177	80	98	233
Sex (including complaints filed under Equal Pay Act)	4	8	748	635	1121	1258
Disability	7	4	514	618	643	758
Age	7	4	340	280	240	327
Reprisal	9	17	711	740	1028	1055
Other	2	0	0	0	0	0

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29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	FY 2005	Previous Fiscal Year Data				
		2004	2003	2003	2002	2001
Appointment/Hire	0	1	56	77	166	199
Assignment of Duties	0	0	190	188	348	451
Awards	3	0	46	40	39	55
Conversion to Full-time	0	0	4	4	7	4
Disciplinary Action	6	4	602	485	319	539
Demotion	0	1	18	18	43	88
Reprimand	0	0	46	36	128	178
Suspension	1	0	103	87	116	159
Removal	2	3	325	301	32	0
Other	3	0	110	43	0	114
Duty Hours	0	0	72	63	100	123
Evaluation Appraisal	1	0	67	55	100	111
Examination/Test	0	0	12	11	23	18
Harassment	9	20	1462	1296	1403	1424
Non-Sexual	9	18	1375	1208	1298	1349
Sexual	0	2	87	88	105	75
Medical Examination	0	0	5	5	19	0
Pay (Including Overtime)	1	2	57	73	27	19
Promotion/Non-Selection	5	15	742	692	925	1036
Reassignment	0	0	131	117	116	140
Denied	0	0	21	19	22	27
Directed	0	0	110	98	94	113
Reasonable Accommodation	0	1	132	145	90	58
Reinstatement	0	0	11	4	9	32
Retirement	1	0	22	24	18	0
Termination	4	0	0	47	227	268
Terms/Conditions of Employment	0	1	200	187	353	378
Time and Attendance	1	2	176	163	211	224
Training	2	3	62	51	156	147
Other	3	0	12	0	0	0

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29 CFR §1614.704(f)													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		FY 2005		Previous Fiscal Year Data									
				Number	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days
				2004		2003		2002		2001		2000	
All complaints pending in Investigative Stage	1614.704	8	157.1	6	37.2	1049	130	1741	125	1095	153	1668	270
All complaints pending in Final Agency Action Stage	(f) (1)	3	77	8	438	236	418	253	349	369	289	327	330
All complaints pending in which Hearing was not requested	1614.704	5	943	7	276	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage	(f) (2)	5	155	7	228	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		5	77*	7	48	NA	NA	NA	NA	NA	NA	NA	NA
All complaints pending in which a Hearing was requested	1614.704	3	98.5	6	239	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage	(f) (3)	3	90.5	6	226	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		3	8	6	13	485	19	448	20	419	19	267	21

* This figure includes an average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of **21** days; said delay computed from the start of the Final Action Stage [see Sec. 1614.702(g)] to receipt of the investigative file in OEDCA. Actual processing time in OEDCA was **56** days.

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29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	FY 2005	Previous Fiscal Year Data					
		2004	2003	2002	2001	2000	
Total Complaints Dismissed by Agency	4	6	402	487	437	538	
Average days pending prior to dismissal	70.5	77.7	82.99	88.25	90.8	163.62	

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
<i>Total Final Agency Actions Finding Discrimination</i>	FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	0		0		0		0		0		1	
Without Hearing 704(h)(2)	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
With Hearing 704(h)(3)	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%

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29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0		0		0		0		0		1	
Number Findings Rendered Without Hearing 704(i)(2)	0		0		0		0		0		0	
Race	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Color	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
National Origin	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Sex (include Equal Pay Act)	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disability	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Age	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reprisal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0		0		0		0		0		1	
Number Findings Rendered After Hearing 704(i)(3)	0		0		0		0		0		1	
Race	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%
Color	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
National Origin	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Sex (include Equal Pay Act)	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disability	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Age	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reprisal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

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29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	0		0		0		0		0		1	
Findings After Hearing 704(j)(3)	0		0		0		0		0		1	
Appointment/Hire	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Assignment of Duties	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Awards	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Conversion to Full-time	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disciplinary Action	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Demotion	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reprimand	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Suspension	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Removal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Duty Hours	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Evaluation Appraisal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Non-Sexual	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Sexual	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay (Including Overtime)	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Promotion/Non-Selection	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%
Reassignment	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Denied	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Directed	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reasonable Accommodation	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reinstatement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Termination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Terms/Conditions of Employment	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Time and Attendance	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Training	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

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29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	FY 2005	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Total complaints from previous Fiscal Years 704(k)(1)	10	14	3122	3995	4045	3974
Total Complainants 704(k)(2)	9	13	NA*	NA*	NA*	NA*
Number complaints pending [as of 3/31]: 704(k)(3)						
Investigation	0	0	1049	1741	1095	1688
ROI issued, pending Complainant's action	0	0	NA*	NA*	NA*	NA*
Hearing	7	2	1572	1619	1811	1696
Final Agency Action	3	12	236	253	369	327
Appeal with EEOC Office of Federal Operations	NA*	NA	NA*	NA*	NA*	NA*
*Do not track						

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29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	FY 2005	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Number Pending Completion of Investigation	3	6	1049	1741	1095	1688
Pending Investigations Over Required Time Frames	0	2	NA*	NA*	NA*	NA*